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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/931,185	08/15/2001	Brian Bramlett	5038-75	1411

7590 05/05/2003

MARGER JOHNSON & MCCOLLOM, P.C.
1030 SW Morrison Street
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[REDACTED] EXAMINER

KIM, PETER B

ART UNIT	PAPER NUMBER
2851	

DATE MAILED: 05/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

Office Action Summary	Application No.	Applicant(s)	
	09/931,185	BRAMLETT ET AL.	
	Examiner Peter B. Kim	Art Unit 2851	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-22 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>4</u> . | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 11-13 and 18-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Wakebe (4,956,655).

Wakebe discloses a light projection apparatus and method with a light source (12), a dynamic patterning means, (15, 27, 29) with wheel structure, interposed within the light path and steering means for directing the light pattern in a desired direction including first and second directions (18, 22). Wakebe discloses a mirror (19, 20, 24) having central axis at an oblique angle to the light and means for tilting the mirror.

Claims 1, 11-13 and 18-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Faris et al. (Faris) (5,680,233).

Faris discloses in fig. 10A, a light projection apparatus and method with a light source (95), a dynamic patterning means, (10") LCD matrix, interposed within the light path and steering means for directing the light pattern in a desired direction including first and second directions (101, 105). Faris discloses a mirror (105) having central axis at an oblique angle to the light and means for tilting the mirror.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-5 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wakebe in view of Mueller et al. (Mueller) (6,016,038).

Wakebe discloses the claimed invention as discussed above. However, Wakebe does not disclose using LEDs. Mueller discloses in the abstract and in col. 2, line 63 – col. 3, line 60, a light projection apparatus and method using LEDs of different lights as the light source. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to provide the LEDs of different color to the invention of Wakebe in order to obtain colorful images as taught by Mueller in col. 2, lines 5-10.

Claims 2-5, 6, 7 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Faris et al. (Faris) in view of Mueller et al. (Mueller).

Faris discloses the claimed invention as discussed above. However, Faris does not disclose using LEDs. Mueller discloses in the abstract and in col. 2, line 63 – col. 3, line 60, a light projection apparatus and method using LEDs of different lights as the light source. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to provide the LEDs of different color to the invention of Faris in order to obtain colorful images as taught by Mueller in col. 2, lines 5-10.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter Kim whose telephone number is (703) 305-0105. The examiner can normally be reached on Monday-Thursday from 6:30 AM to 4:00 PM. The examiner can also be reached on alternate Fridays during the same hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Russ Adams, can be reached on (703) 308-2847. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.


Peter B. Kim
Patent Examiner
April 29, 2003